

REMARKS

Reconsideration of this application, as amended, is requested.

Claims 1, 4, 5, 8, 10-13 and 20-26 remain in the application. Claims 14-19 were canceled earlier in the prosecution. Claims 2, 3, 6, 7 and 9 are canceled with this Amendment. Independent claim 1 has been amended to define the invention with greater particularity. Claims 4 and 8 have been amended to depend from claim 1. Independent claim 23 has been amended with additional limitations that substantially parallel the limitations that were added to independent claim 1. Independent claim 26 also has been amended to incorporate limitations similar to the limitations added to independent claim 1. Additionally, the applicant has decided not to employ the "means for" format in independent claim 26. As a result, the amendments to claim 26 define the structural elements of the invention without relying on the function.

Claims 1, 3, 4, 20, 22, 23 and 26 were rejected under 35 USC 102(b) as being anticipated by the newly cited Oikarinen et al. reference (WO 0149344). The Examiner identified the elements of Oikarinen et al. that were considered to correspond to the elements recited in the claims existing prior to this Amendment.

The amended independent claims now all define a receptacle with a receptacle main body that has a wall formed of sheets. Additionally, the receptacle main body set forth in each of the amended independent claims has a folded portion formed by folding sheets that face each other. The port portion or connection adaptor set forth in each of the amended independent claims now is defined as including a check valve. The previously recited air-pervious/liquid-impervious element now is defined in each of the claims as being at a position below the port portion or connection adaptor. Additionally, a

length of the receptacle main body in the state after the folded portion is expanded is defined in each of the remaining claims as being longer than the rigid case.

The currently claimed invention achieves several very efficient effects. In particular, the air-pervious/liquid impervious element is located below the port portion or connection adaptor. As a result, the waste liquid that has been sucked into the receptacle main body contacts the entire region of the air-pervious/liquid impervious element so that communication of air through the air-pervious/liquid impervious element is stopped. Accordingly, suction of waste liquid can be stopped automatically at a predetermined amount. Additionally, the port portion or connection adaptor set forth in each of the currently amended claims has a check valve. Therefore, the waste liquid is prevented from flowing reversely through the port portion or connection adaptor when detaching the receptacle main body from the rigid case after completion of a waste-liquid collection operation.

In contrast to the claimed invention, a receptacle with a check valve provided in a port portion or connector adaptor and with an air-pervious/liquid impervious element below the port portion/connection adaptor would result in air present between a liquid level of the waste liquid and the check valve being trapped after the waste-liquid sucking operation is stopped automatically. Accordingly, the receptacle main body of such a structure would expand after completion of the waste-liquid connecting operation due to an increase in the internal pressure to closely contact an inner surface of the rigid case. As a result, the receptacle main body would be difficult to detach from the rigid case. However, the receptacle defined by the amended claims herein has a folded portion formed by folding sheets. Additionally, the length of the receptacle main body when the folded portion has been expanded exceeds the length of the rigid case. Accordingly, the internal

pressure of the receptacle main body can be reduced by expanding the folded portion after completion of the waste-liquid collection operation to increase a volume of the receptacle main body between the check valve and the liquid level. As a result, the receptacle main body is not difficult to detach from the rigid case. Accordingly, the invention defined by each of the independent claims automatically stops the waste-liquid sucking operation, prevents the waste liquid from flowing reversely and improves the ease of detaching the receptacle main body from the rigid case after completion of the waste-liquid connecting operation. These three specific advantages can be achieved concurrently and easily with the claimed invention.

The Oikarinen et al. reference does not suggest the above-described efficient combination of structural elements. In particular, the Oikarinen et al. reference merely discloses first lead-through means 6 formed of a cylindrical sleeve (page 3, lines 21 and 22). Oikarinen et al. does not suggest the configuration corresponding to the check valve recited in each of the amended independent claims.

The Oikarinen et al. reference merely discloses a configuration where a first lead-through means 6 and a second lead-through means 7 are provided with bilateral symmetry relative to the suction bag. In other words, the Oikarinen et al. reference merely discloses a configuration where the first lead-through means 6 and the second lead-through means 7 are provided at equal heights (page 3, line 31 - page 4, line 1 and FIGS. 2 and 4). Oikarinen et al. does not disclose the claimed receptacle with the second lead-through means 7 provided below the first lead-through means 6.

Oikarinen et al. also merely discloses a suction bag 3 having a size that can be accommodated inside the cover and the container when the cover is mounted on the

container. Oikarinen et al. does not suggest making the suction bag 3 longer than the cover and the container and providing a folded portion in the suction bag 3.

For the reasons set forth above, it is submitted that Oikarinen et al. does not suggest the invention defined by the amended independent claims herein.

Still further, the fluid in the disposable suction bag 3 of Oikarinen et al. is not trapped in the first lead-through means 6. As a result, the internal pressure of the disposable suction bag 3 of Oikarinen et al. does not increase after completion of the waste-liquid connecting operation. As a result, Oikarinen et al. has no suggestion of "reducing the internal pressure of the receptacle main body after completing the waste-liquid collecting operation" as set forth in all of the amended claims.

Gier Jr. does not overcome the deficiencies of Oikarinen et al. More particularly, Gier Jr. discloses that a blood collection bag 26 is connected to a tube 22 and a tube 24. However, Gier Jr. does not disclose a configuration corresponding to the check valve of the subject invention provided in the tubes 22 and 24. Accordingly, it is submitted that the invention defined by amended claims 1, 3, 4, 20, 22, 23 and 26 is not taught or suggested by Oikarinen et al.

Claim 2 was rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Olson.

Claim 2 had recited the check valve that now is part of each of the independent claims. However, the independent claims have been amended to recite further limitations that were not in canceled claim 2. It is submitted that none of the claims are suggested by Oikarinen et al. considered in view of Olson.

Claims 6, 7 and 12 were rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Keogh (US 5,669,892). As noted above, claims 6 and 7

have been canceled. Claim 12 merely recites a coagulating agent, and Keogh was cited for teaching a coagulating agent. However, Keogh does not overcome the deficiencies of Oikarinen et al. as described above. Hence, claim 12 is not suggested by Oikarinen et al. in view of Keogh.

Claims 5, 8 and 9 were rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Verkaart. It is submitted that Verkaart does not overcome the deficiencies of Oikarinen et al. when applied to amended independent claim 1. As a result, claims 5, 8 and 9 are not suggested by Oikarinen et al. in view of Verkaart.

Claim 10 was rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Bormann et al. Bormann et al. was cited for teaching a communication member that was admitted to be absent from Oikarinen et al. However, Bormann et al. does not overcome the deficiencies of Oikarinen et al. as described above. Accordingly, claim 10 is not suggested by Oikarinen et al. considered in view of Bormann et al.

Claim 11 was rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Verkaart and further in view of Manica et al. (US 2002/0138066). Manica et al. was cited for teaching a fastening element for fastening a folded portion of the sheet to prevent the folded portion from being unfolded. Neither Verkaart nor Manica et al. suggest the limitations added to each of the independent claims as set forth above. Accordingly, it is submitted that the invention defined by claim 11 is not taught or suggested by the applied art.

Claim 13 was rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Keogh in view of Manica et al. Manica et al. was cited for disclosing a system with a partition for partitioning the interior space of a receptacle. Once again, it is submitted that the Manica et al. reference does not suggest the limitations that were added

to each of the independent claims, and hence the Manica et al. reference does not overcome the deficiencies of Oikarinen et al. considered in view of Keogh as described above.

Finally, claims 21 and 25 were rejected under 35 USC 103(a) as being obvious over Oikarinen et al. in view of Manica et al. Manica et al. was cited for suggesting a port portion or connection adaptor made at least partly from a synthetic resin having elasticity and dimensioned to provide air-tightness with a rigid case. However, the Manica et al. reference does not overcome the deficiencies of Oikarinen et al. as described above. Hence, claims 21 and 25 are not suggested by Oikarinen et al. in view of Manica et al.

In view of the preceding amendments and remarks, it is submitted that all of the claims remaining in the application are directed to patentable subject matter and allowance is solicited. The Examiner is urged to contact applicants attorney at the number below to expedite the prosecution of this application.

Respectfully submitted,



Gerald E. Hespos, Esq.
Atty. Reg. No. 30,066
Customer No. 001218
CASELLA & HESPOS LLP
274 Madison Avenue - Suite 1703
New York, NY 10016
Tel. (212) 725-2450
Fax (212) 725-2452

Date: June 23, 2009